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Attorneys for Defendants
Queen of Hearts Cruises, Inc.,
The Queen of Hearts and
Steven P. Salsberg

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BROADCAST MUSIC, INC.; MICHAEL JOE
JACKSON d/b/a MIJAC MUSIC;
JANICE-MARIE VERCHER d/b/a
CONDUICIE MUSIC; SPIRIT ONE MUSIC,
A division of SPIRIT MUSIC GROUP INC.;
MIRAN PUBLISHING, INC., TWO KNIGHT
MUSIC, A DIVISION OF COUCH AND
MADISON PARTNERHSIP; THE ESTATE OF
MAURICE ERNEST GIBB AND ROBIN GIBB,
A PARTNERHSIP d/b/a GIBB BROTHERS
MUSIC; BARRY ALAN GIBB d/b/a
CROMPTON SONGS,

07 CV 11222

Plaintiff,

**ANSWER OF QUEEN OF HEARTS
CRUISES, INC., THE QUEEN OF
HEARTS AND STEVEN P. SALSBERG**

-against-

QUEEN OF HEARTS CRUISES, INC.
d/b/a THE QUEEN OF HEARTS and
STEVEN P. SALSBERG and IRA
M. BAROCAS, each individually,

Defendants.

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Defendants Queen of Hearts Cruises, Inc. and Steven P. Salsberg, by their
attorneys, Kenny, Stearns & Zonghetti, 26 Broadway, New York, New York 10004
as and for their answer to the complaint, state upon information and belief:

1. Paragraphs 1 and 2 of the complaint consist of statements of law to which no response is required and to the extent a response is required, deny knowledge or information sufficient to form a belief as to the truth of the matters asserted.

2. Deny knowledge or information sufficient to form a belief as to the truth of the matters asserted in paragraphs 3 -4 of the Complaint.

3. Admit defendant Queen of Hearts Cruises, Inc. is a New York corporation, owns and operates a vessel known as the Queen of Hearts and that its main office is located at 160 East 88th Street, New York, New York 10128, but denies the remainder of the allegations of paragraph 5 of the complaint.

4. Deny knowledge or information sufficient to form a belief as to the truth of the allegations of paragraphs 6 - 9 of the Complaint.

5. Deny the allegations of paragraphs 10 - 11 of the complaint.

6. With respect to paragraph 12 of the complaint, repeat and reallege each admission, denial and denial of knowledge and information as though fully restated.

7. Denies knowledge or information sufficient to form a belief as to the truth of the matters asserted in paragraphs 13 - 19 of the Complaint.

AS AND FOR A FIRST DEFENSE

8. Plaintiff fails to state a claim upon which relief may be granted.

AS AND FOR A SECOND DEFENSE

9. Plaintiff lacks personal jurisdiction over defendants.

AS AND FOR A THIRD DEFENSE

10. This action is barred by the doctrines of waiver and/or estoppel.

AS AND FOR A FOURTH DEFENSE

11. This action is barred by the doctrines of accord and satisfaction and/or settlement and release.

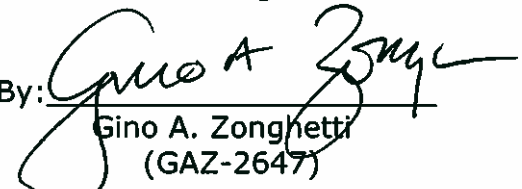
AS AND FOR A FIFTH DEFENSE

12. Plaintiff failed to mitigate its damages.

WHEREFORE, defendants request the Court enter an order dismissing the complaint, together with costs, disbursements and attorneys' fees in favor of defendants, and for such other or further relief the Court may deem to be just and proper.

Dated: New York, New York
January 9, 2008

Kenny, Stearns & Zonghetti
Attorneys for Defendants
Queen of Hearts Cruises, Inc.,
The Queen of Hearts and
Steven P. Salsberg

By: 
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